

PTO/SB/21 (02-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/722,033	<b>RECEIVED CENTRAL FAX CENTER APR 08 2004</b>
Filing Date	11/25/2003	
First Named Inventor	Satoru Miyano, et al.	
Art Unit	1645	
Examiner Name		<b>OFFICIAL</b>
Attorney Docket Number	GENN-01009US1	

Total Number of Pages In This Submission

12

**ENCLOSURES (Check all that apply)**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Request for Corrected Filing Receipt with copy of Receipt, copy of Notice of Missing Parts |
|--|--|---|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	D. Benjamin Borson Fliesler Meyer LLP	Customer Number: 23910
Signature	<i>D. Benjamin Borson</i>	Reg. No.: 42,349
Date	<i>April 8, 2004</i>	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	D. Benjamin Borson		
Signature	<i>D. Benjamin Borson</i>	Date	<i>April 8, 2004</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: GENN-1009US1 DBB

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

## Complete if Known

Application Number	10/722,033
Filing Date	11/25/2003
First Named Inventor	Satoru Miyaho
Examiner Name	
Art Unit	1645
Attorney Docket No.	GENN-01009US1

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit  
Account  
Number  
Deposit  
Account  
Name

06-1325

Fliesler Meyer LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	26	-20** =	0.00
Multiple Dependent		-3** =	0.00
			0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0.00)

\*\*or number previously paid. If greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	D. Benjamin Borson	Registration No. (Attorney/Agent)	42,349	Telephone	415.362.3800
Signature	<i>D. Benjamin Borson</i>	Date	April 8, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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CENTRAL FAX CENTER

APR 08 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application

Inventor(s): Satoru Miyano, Seiya Imoto, Michiel J.L. De  
Hoon  
Appln. No.: 10/722,033  
Confirm. No.: 6506  
Filed: November 25, 2003

Title: INFERRING GENE REGULATORY NETWORKS  
FROM TIME-ORDERED GENE EXPRESSION  
DATA USING DIFFERENTIAL EQUATIONS

## PATENT APPLICATION

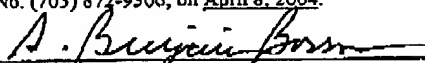
Art Unit: 1645

Customer No. 23910

OFFICIAL

## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the  
Commissioner for Patents, the United States Patent and Trademark Office, Box Missing Parts,  
Facsimile No. (703) 872-9306, on April 8, 2004.

  
D. Benjamin Borson, Reg. No. 42,349 (Attorney Signature)  
Signature Date: April 8, 2004

REQUEST FOR CORRECTED FILING RECEIPT AND  
RESPONSE TO NOTICE OF MISSING PARTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests a corrected filing receipt to show all inventors as listed on the cover page of the patent application. A copy of the patent application page with the corrections noted and the filing receipt is attached hereto.

In response to the Notice of Missing Parts dated March 10, 2004, attached hereto is a Declaration executed by all of the inventors. A fee transmittal form (PTO/SB/17) is attached hereto to charge the total

- 1 -

Attorney Docket No.: GENN-1009US1 DBB  
dbb/GENN-1009US1.MSP

fees due of \$65 and to authorize the commissioner to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

Date: April 8, 2004

By: D. Benjamin Borson  
D. Benjamin Borson, Ph.D.  
Reg. No. 42,349

FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone (415) 362-3800

- 2 -

Attorney Docket No.: GENN-1009US1 DBB  
dbb/GENN-1009US1.MSP



## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/722,033✓	11/25/2003✓	1645✓	439	GENN-1009US1 DBB	2	26✓	3✓

CONFIRMATION NO. 6506✓

D. Benjamin Borson  
Fliesler Dubb Meyer & Lovejoy LLP  
Ste. 400  
4 Embarcadero Center  
San Francisco, CA 94131

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MAR 15 2004

FLIESLER MEYER LLP

## FILING RECEIPT



\*OC000000012069271\*

Date Mailed: 03/10/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Satoru Miyano, Residence Not Provided;

Seifu Imoto  
Michiel J. L. De Hoon

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/428,827 11/25/2002✓

## Foreign Applications

If Required, Foreign Filing License Granted: 03/10/2004✓

Projected Publication Date: To Be Determined - pending completion of Missing Parts✓

Non-Publication Request: No ✓

Early Publication Request: No ✓

\*\* SMALL ENTITY \*\*✓

## Title

Inferring gene regulatory networks from time-ordered gene expression data using differential equations ✓

Fliesler, Meyer LLP

File: GENN-01009US1

Action Item: Action #1?

Date Due: January 25, 2005

Critical Date: January 25, 2005

Attorney Path: DBB

Prepared By: JCM

Verified By: JCM

**Preliminary Class**

435

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**UNITED STATES UTILITY PATENT APPLICATION FOR  
INFERRING GENE REGULATORY NETWORKS FROM TIME-ORDERED GENE  
EXPRESSION DATA USING DIFFERENTIAL EQUATIONS**

Inventors:

Satoru Miyano  
Seiya Imoto  
Michiel J.L. De Hoon

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
UNDER 37 C.F.R. § 1.10**

"Express Mail" mailing label number: EV 327622585 US  
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(Signature)

D. Benjamin Borson, Reg. No. 42,349  
Signature Date: November 25, 2003